

ATTACHMENT A
STATEMENT OF FACTS

The United States and the Defendant, ANDRE BARBINS, stipulate and agree that if this case proceeded to trial, the United States would prove the facts set forth below beyond a reasonable doubt. They further stipulate and agree that these are not all of the facts that the United States would prove if this case proceeded to trial.

At all times relevant to this case, the Defendant, **ANDRE BARBINS** ("**BARBINS**"), was a resident of Solomon, Maryland.

On or about September 24, 2015, while at his residence in Solomon, Maryland, **BARBINS**, using an electronic device connected to the internet, logged onto "experienceproject.com" (hereinafter "**EP**"). **EP** is a social media application accessible through the internet that allows users to "chat" with other users and exchange photographs, among other things. **BARBINS** had an account with **EP** and was assigned the user identification number "593259." At approximately 4:32 a.m., **BARBINS** contacted a twelve-year-old female from Illinois (hereinafter "**Victim A**") on **EP** and told her he was "Andre" from "Maryland." Soon thereafter, **BARBINS** asked **Victim A** "How old are ya?" **Victim A** replied "12, 13 in November." **BARBINS** then asked, "you have a lot of sexy experiences. They real??...U like receiving pics or sharing??" **BARBINS** then sent **Victim A** a picture of himself, nude from the waist up, in bed. **BARBINS** stated "Can I see a pic of u now?" **Victim A** replied and sent **BARBINS** two photographs in which she was fully clothed. **BARBINS** responded "lot of clothes...Tease...Not even a peak?...Woke up horny silly." At 5:43 a.m., **Victim A** sent a photograph depicting a close-up image of her exposed vaginal area. **BARBINS** responded "Wow...That now?...Mmm...Ok Bra pic?...Your pussy is so hot." The conversation subsequently ended because **Victim A** informed **BARBINS** that she had to go to school.

Later on September 24, 2015, at approximately 7:24 p.m., **BARBINS** again contacted **Victim A** and asked about school. **BARBINS** commented on the photograph **Victim A** sent of her vaginal area and stated "[y]ou have some hair for a young girl. It's hot...Any chance I could get another peak??" **BARBINS** then asked **Victim A** about her "boobs" and asked for a "bra pic" or a "boob pic." Eventually, **Victim A** sent **BARBINS** a close-up image of **Victim A**'s breasts. **BARBINS** responded "[v]ery cute!!!!"

Between September 24, 2015 and September 28, 2015, **Victim A** and **BARBINS** continued to "chat" over **EP**. During those conversations, **BARBINS** and **Victim A** continued to exchange photographs, including several pictures of **BARBINS** in various stages of undress. For example, on September 25, 2015, at approximately 5:30 a.m., **Victim A** sent **BARBINS** a close up picture of her partially exposed vaginal area. At approximately 5:33 a.m., **BARBINS** sent a photograph of himself in bed, nude from the pelvic region up, in which he was holding his exposed penis. Several minutes later, **BARBINS** sent a photograph of his erect penis. **BARBINS** also sent a photograph in which his face was visible.

The pictures of **Victim A**'s vaginal area described above that **BARBINS** knowingly received from **Victim A** constitute visual depictions of a minor engaging in sexually explicit conduct and are child pornography under 18 U.S.C. § 2256(8).

On February 12, 2016, the Maryland State Police (MSP) executed a search warrant for **BARBINS'** residence, located in Solomon, Maryland. During the search warrant, officers located several items of furniture in **BARBINS'** residence that were visible in the photographs **BARBINS** sent Victim A. Officers also located **BARBINS** and advised him of his Constitutional rights, which he acknowledged and agreed to be interviewed. During the interview, **BARBINS** admitted that he used EP, that he was lonely, and that at some point he stopped "chatting" with younger girls on EP and only communicated with older women.

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I have read this Statement of Facts, and have carefully reviewed it with my attorney. I understand it, and I voluntarily agree to it. I do not wish to change any part of it. I acknowledge that it is true and correct.

12/8/16
Date

Andre Barbins / Andre Barbins
Andre Barbins

I am Andre Barbins' attorney. I have carefully reviewed every part of this Statement of Facts with him. To my knowledge, his decision to sign it is an informed and voluntary one.

12/8/16
Date

Kristina W. Supler / Kristina W. Supler
Kristina W. Supler